

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-227-C - ORDER NO. 90-429 ✓
APRIL 10, 1990

IN RE:	Public Service Commission of)	
	South Carolina Staff,)	
)	
	Complainant,)	
)	ORDER HOLDING
	vs.)	COMPLAINT IN
)	ABEYANCE
	Arthur R. Dodd, James R. Council,)	
	and Dodd Communications, Inc.,)	
)	
	Respondents.)	
)	

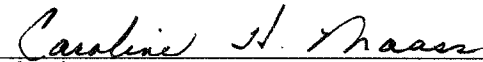
On March 14, 1990, the Public Service Commission of South Carolina Staff (the Complainant) filed a complaint with the Public Service Commission of South Carolina (the Commission) pursuant to the Commission's authority to regulate and supervise the rates and service of every public utility in this State. The gravaman of the complaint stated that Arthur Dodd, James R. Council, and Dodd Communications (Respondents), were providing radio common carrier service in South Carolina without proper Commission authority and in violation of the Code of Laws of South Carolina.

On March 16, 1990, counsel for the Respondents filed a letter with the Commission stating that two of the Respondents named in the Complaint, Messrs. Dodd and Council, are the general partners of Mobilcom, a South Carolina general partnership, doing business

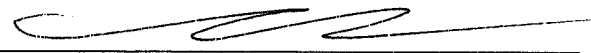
as PageCom, which filed an application to provide radio common carrier authority on March 16, 1990. As part of the filing, Mobilecom, d/b/a PageCom indicated that it would be willing to enter into a consent and stipulation, admitting that it was unauthorized to provide radio common carrier service but indicating that it was unaware that it needed to apply for such service. As part of the consent and stipulation, the Commission would require Mobilecom, d/b/a PageCom to cease providing service to any new customers on its system but it could provide service to customers that have already subscribed, pending the outcome of the radio common carrier application. If the Respondents sign the attached consent and stipulation agreement, the Commission will hold this complaint matter in abeyance until the application, in Docket No. 90-267-C, has been decided. The Respondents should return the signed consent and stipulation to the Commission on or before April 23, 1990.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Deputy Executive Director

(SEAL)

STATE OF SOUTH CAROLINA)
) BEFORE THE PUBLIC SERVICE
) COMMISSION OF SOUTH CAROLINA
COUNTY OF RICHLAND)

Public Service Commission of
South Carolina Staff,

Complainant,

v.

Arthur R. Dodd, James R.
Council, and Dodd Communica-
tions, Inc.,

Respondents.

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CONSENT AND STIPULATION
OF
MOBILECOM, D/B/A PAGECOM

Mobilcom, a South Carolina general partnership, doing business as PageCom, hereby stipulates and consents as follows:

1. Mobilecom, d/b/a Pagecom, has heretofore marketed radio common carrier (paging) services in Orangeburg County. Mobilecom, d/b/a PageCom, through its partners, holds a private carrier paging ("PCP") license and a common carrier public land mobile service paging ("RCC") license from the Federal Communications Commission ("FCC") and pursuant thereto, has equipment and facilities capable of providing paging coverage in the area referred to above, as well as Barnwell, Calhoun, Hampton, Allendale and Aiken Counties.

2. At the time of procuring the RCC paging license from the FCC, Mobilecom, d/b/a PageCom, was unaware that South Carolina Public Service Commission authority was required in order to provide the service described above. Mobilecom, d/b/a PageCom, was, at the time, already providing private carrier paging services

pursuant to a PCP license issued by the FCC, for which it understands no South Carolina Public Service Commission authority is required.

3. Mobilcom, d/b/a PageCom, will not, until such time as it has received authority from this Commission as a Radio Common Carrier pursuant to Title 58, Chapter 11 of the Code of Laws of South Carolina (1976 Ed.), serve any additional customers on the FCC frequency licensed for RCC service, and will henceforth serve new customers only on the FCC frequency licensed for PCP service unless and until it receives RCC authority from this Commission.

4. In the event that its Application for authority is not granted, Mobilecom, d/b/a PageCom, will convert all of its existing customers on the FCC RCC frequency, eligible for conversion, to its FCC PCP frequency and terminate all service to any customers which cannot be so converted.

MOBILECOM, d/b/a PAGECOM

By: _____
Arthur R. Dodd

By: _____
James R. Council, Jr.

Its: General Partners

Orangeburg, South Carolina
This ____ day of _____, 1990